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Judge Lindberg

Mag. Judge Nolan

U.S. District Court

District of Maryland (Baltimore)

CIVIL DOCKET FOR CASE #: 1:06-cv-03034-CCB

Weistock v. Levin et al

Assigned to: Judge Catherine C. Blake

Case in other court: Circuit Court of for Baltimore City, 24C-
06-007621

Cause: 28:1441 Petition for Removal- Medical Malpractice

Date Filed: 11/16/2006

Date Terminated: 03/13/2007

Jury Demand: Plaintiff

Nature of Suit: 362 Personal Inj. Med.
Malpractice

Jurisdiction: Diversity

Plaintiff**Rose Weistock***Individually, and as Personal**Representative of the Estate of Harvey**Weistock*represented by **Mark T Mixter**

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MAR 21 2007

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LEAD ATTORNEY**ATTORNEY TO BE NOTICED**

Plaintiff

Janet Weistock

represented by **Mark T Mixer**
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LEAD ATTORNEY
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V.

Defendant

Robert Levin
MD

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Defendant

Midwestern Regional Medical Center

represented by **Donald L DeVries, Jr**
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Janet A S MacDonald
 (See above for address)
ATTORNEY TO BE NOTICED

Sidney G Leech
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/16/2006	<u>1</u>	NOTICE OF REMOVAL from Circuit Court for Baltimore City, case number 24C06-007621. (Filing fee \$ 350 receipt number 14637012677), filed by Robert Levin, Midwestern Regional Medical Center. (Attachments: # <u>1</u> Civil Cover Sheet)(raf, Deputy Clerk) Modified on 11/17/2006 (raf, Deputy Clerk). (Entered: 11/17/2006)
11/16/2006	<u>2</u>	COMPLAINT against Robert Levin, Midwestern Regional Medical Center, filed by Rose Weistock.(raf, Deputy Clerk) (Entered: 11/17/2006)
11/16/2006		Jury Trial Demand by Rose Weistock. (raf, Deputy Clerk) (Entered: 11/17/2006)
11/16/2006	<u>3</u>	NOTICE OF FILING NOTICE OF REMOVAL by Robert Levin, Midwestern Regional Medical Center (raf, Deputy Clerk) (Entered: 11/17/2006)
11/16/2006		THE ABOVE PLEADINGS 2-3 ARE COPIES FILED IN THE CIRCUIT COURT FOR BALTIMORE CITY (raf, Deputy Clerk) (Entered: 11/17/2006)
11/16/2006	<u>4</u>	Local Rule 103.3 Disclosure Statement by Midwestern Regional Medical Center (raf, Deputy Clerk) (Entered: 11/17/2006)
11/17/2006	<u>5</u>	Correspondence re: removal notification. (c/m to R. Kowitz 11/17/06) (raf, Deputy Clerk) (Entered: 11/17/2006)

11/22/2006	<u>6</u>	Quarterly MOTION to Dismiss for Lack of Jurisdiction by Robert Levin, Midwestern Regional Medical Center. Responses due by 12/11/2006 (Attachments: # <u>1</u> Memo in Support# <u>2</u> Exhibit 1# <u>3</u> exhibit 2# <u>4</u> exhibit 3# <u>5</u> Request for Hearing# <u>6</u> proposed order)(Leech, Sidney) (Entered: 11/22/2006)
11/29/2006	<u>7</u>	AMENDED COMPLAINT against all defendants, filed by Allan Weistock, Janet Weistock, Rose Weistock.(Mixer, Mark) (Entered: 11/29/2006)
12/07/2006	<u>8</u>	Proposed REQUEST for Extension of Time to File <i>Opposition to Motion to Dismiss</i> (Mixer, Mark) (Entered: 12/07/2006)
12/07/2006	<u>9</u>	PAPERLESS ORDER APPROVING <u>8</u> Request for Extension of Time until December 11, 2006 for the Weistock defendants to file their Opposition to plaintiff's Motion to Dismiss. Signed by Judge Catherine C. Blake on Dccember 7, 2006. (Blake, Catherine) (Entered: 12/07/2006)
12/11/2006	<u>10</u>	RESPONSE in Opposition re <u>6</u> Quarterly MOTION to Dismiss for Lack of Jurisdiction filed by Allan Weistock, Janet Weistock, Rose Weistock. Replies due by 12/26/2006. (Attachments: # <u>1</u> Exhibit 1)(Mixer, Mark) (Entered: 12/11/2006)
12/19/2006	<u>11</u>	MOTION to Strike <u>7</u> Amended Complaint by Robert Levin, Midwestern Regional Medical Center. Responses due by 1/5/2007 (MacDonald, Janet) (Entered: 12/19/2006)
12/21/2006	<u>12</u>	RESPONSE in Opposition re <u>6</u> Quarterly MOTION to Dismiss for Lack of Jurisdiction filed by Robert Levin, Midwestern Regional Medical Center.Replies due by 1/4/2007. (Attachments: # <u>1</u>)(MacDonald, Janet) (Entered: 12/21/2006)
12/29/2006	<u>13</u>	Correspondence re: defendants' Reply Memorandum (Mixer, Mark) (Entered: 12/29/2006)
01/02/2007	<u>14</u>	RESPONSE in Opposition re <u>11</u> MOTION to Strike <u>7</u> Amended Complaint filed by Allan Weistock, Janet Weistock, Rose Weistock. Replies due by 1/16/2007. (Mixer, Mark) (Entered: 01/02/2007)
01/02/2007	<u>15</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by Allan Weistock, Janet Weistock, Rose Weistock. Responses due by 1/19/2007 (Attachments: # <u>1</u> Proposed Second Amended Complaint# <u>2</u> Proposed Second Amended Complaint - Red Line)(Mixer, Mark) (Entered: 01/02/2007)

01/15/2007	<u>16</u>	RESPONSE in Opposition re <u>15</u> MOTION for Leave to File <i>Second Amended Complaint</i> filed by Robert Levin, Midwestern Regional Medical Center.Replies due by 1/29/2007. (MacDonald, Janet) (Entered: 01/15/2007)
01/17/2007	<u>17</u>	Local Rule 103(5)(a) Certification by Defendants. (Attachments: # <u>1</u>) (MacDonald, Janet) (Entered: 01/17/2007)
03/08/2007	<u>18</u>	Miscellaneous Correspondence. Response from defense counsel due March 12, 2007. (Blake, Catherine) (Entered: 03/08/2007)
03/13/2007	<u>19</u>	MEMORANDUM. Signed by Judge Catherine C. Blake on 3/13/07. (jlb, Deputy Clerk) (Entered: 03/14/2007)
03/13/2007	<u>20</u>	ORDER granting in part and denying in part <u>6</u> Motion of Defendants to Dismiss for Lack of Jurisdiction; Reserving <u>11</u> Motion of Defendants to Strike Amended Complaint and <u>15</u> Motion of Plaintiff for Leave to File Second Amended Complaintfor Determination by the Court in Illinois and TRANSFERRING this Case to the U.S. District Court for the Northern District of Illinois. Signed by Judge Catherine C. Blake on 3/13/07. (jlb, Deputy Clerk) (Entered: 03/14/2007)
03/14/2007	<u>21</u>	Correspondence from Clerk RE: Transfer of Case to the U.S. District Court for the Northern District of Illinois. (jlb, Deputy Clerk) (Entered: 03/14/2007)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ROSE WEISTOCK,
v.

ROBERT LEVIN, et al.

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Civil No. CCB-06-3034

ORDER

For the reasons stated in the accompanying Memorandum, it is hereby **ORDERED**:

1. the defendants' motion to dismiss (docket entry no. 6) is **Granted in part and Denied** in part;
2. the defendants' motion to strike amended complaint (docket entry no. 11) and the plaintiffs' motion for leave to file second amended complaint (docket entry no. 15) are **Reserved** for determination by the court in Illinois; and
3. the case shall be **Transferred** to the United States District Court for the Northern District of Illinois.

March 13, 2007

Date

/s/

Catherine C. Blake
United States District Judge